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\*NOT ADMITTED TO THE NEW YORK BAR

August 27, 2014

By Facsimile

Hon. Victor Marrero  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Kaplan v. S.A.C. Capital Advisors, L.P., No. 12 Civ. 9350

USDC SDNY  
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Dear Judge Marrero:

Please find enclosed a courtesy copy of a Stipulation and [Proposed] Order Extending Defendants' Time To File Answers, which we have submitted to the Orders and Judgments Clerk. We would be pleased to answer any questions.

Respectfully Submitted,

  
Daniel J. Kramer I.P.A.P.

cc: All counsel (by email)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID E. KAPLAN, et al.,

Plaintiffs,

- against -

S.A.C. CAPITAL ADVISORS, L.P., et al.,

Defendants.

No. 12 Civ. 9350 (VM)  
(KNF)

BIRMINGHAM RETIREMENT AND RELIEF  
SYSTEM, et al.,

Plaintiffs,

- against -

S.A.C. CAPITAL ADVISORS, L.P., et al.,

Defendants.

No. 13 Civ. 2459 (VM)  
(KNF)

**STIPULATION AND ORDER  
EXTENDING DEFENDANTS' TIME TO FILE ANSWERS**

WHEREAS the Court issued an Opinion and Order denying in part Defendants' Motions to Dismiss the Joint Consolidated Amended Class Action Complaint (the "Complaint") on August 14, 2014;

WHEREAS Defendants currently have until August 28, 2014 to answer the Complaint;

WHEREAS Plaintiffs have indicated an intent, subject to the Court's approval, to file their Joint Consolidated Second Amended Class Action Complaint (the "Second Amended Complaint"), as discussed on the telephone conference with the Court held on August 19, 2014;

WHEREAS filing of the Second Amended Complaint will be without prejudice or waiver of any arguments Defendants may raise in a motion to dismiss;

WHEREAS Defendants' motion to dismiss the Second Amended Complaint is due September 22, 2014; Plaintiffs' opposition to Defendants' motion to dismiss is due October 14, 2014; and Defendants' reply in further support of their motion to dismiss is due October 28, 2014;

WHEREAS there have been no previous requests for an extension of time to answer;

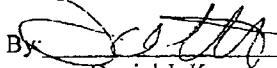
WHEREAS the parties have conferred and agreed that Defendants need not answer the Complaint or the Second Amended Complaint until twenty (20) days after the Court rules on Defendants' motion to dismiss the Second Amended Complaint;

IT IS HEREBY ORDERED that Plaintiffs shall file their Second Amended Complaint, in the form tendered to Defendants on July 10, 2014, within three (3) business days after entry of this Order; and

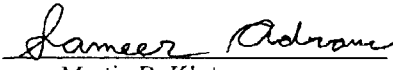
IT IS HEREBY STIPULATED, AGREED and ORDERED that Defendants need not answer the Complaint or Second Amended Complaint until twenty (20) days after the Court rules on Defendants' motion to dismiss the Second Amended Complaint.

Dated: August 27, 2014  
New York, New York

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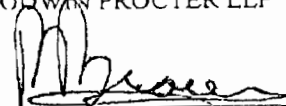
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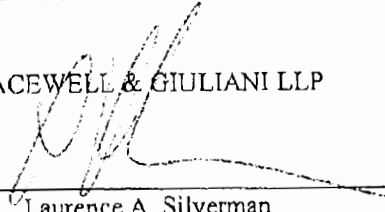
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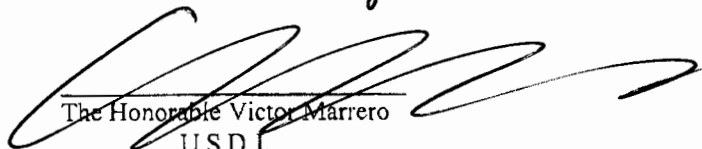
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SO ORDERED:

*27 August 2014*  
  
The Honorable Victor Marrero  
U.S.D.J.